

### **REMARKS**

Claims 1-19 are all the claims pending in the application, with claims 1, 9, and 15 being the only independent claims. Applicant has presented a current claim listing for the convenience of the Examiner. No amendments to the claims are currently submitted.

Applicant notes with appreciation that the originally filed drawings have been accepted, and that the IDS papers have been signed and acknowledged by the Examiner. Applicant looks forward to receiving acknowledgement of the IDS filed May 8, 2008, which was after the mailing date of the present Office Action.

Claims 1-8 and 15-19 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent Publication No. 2004/0031061 to McCalla et al. in view of U.S. Patent Publication No. 2004/0107439 to Hassell et al. Claims 9-14 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over McCalla in view of Hassell and further in view of U.S. Patent Publication No. 2004/0031058 to Reisman. Applicant respectfully traverses these rejections, and requests reconsideration and allowance of the pending claims in view of the following arguments.

### **Claim Rejections - 35 U.S.C. §103**

Claims 1-8 and 15-19 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over McCalla in view of Hassell.

Claim 1 is directed toward a method which includes “automatically causing relative movement as between the segregated display area and the plurality of discrete indicators.” Page 2 of the Office Action indicated that Fig. 3 of the McCalla publication teaches this feature. Applicant respectfully disagrees and will discuss two notable distinctions.

Applicant’s review of the cited portions of McCalla finds a discussion relating to the display of television ticker 40. In particular, McCalla describes ticker 40 occupying a small area of television screen 12 and being composed of selector area 42 and a display area 44. (McCalla para. 0034, lines 3-9; Fig. 3). Apparently, category selector area 42 lets the viewer select the

type of information that they wish to view (e.g., news, weather, entertainment, sports, business, advertisements). (McCalla para. 0034, lines 8-11).

The Office Action indicates that ticker 40 teaches the claimed “segregated display area” and category selector area 42 teaches the claimed “discrete indicators.” Applicant assumes *arguendo* that McCalla provides such teachings. However, even if this were correct, McCalla does not provide any teaching relating to causing relative movement as between ticker 40 (segregated display area) and the category selector area 42 (the plurality of discrete indicators). This is because McCalla provides absolutely no description relating to the movement of either ticker 40 and category selector area 42. Since neither ticker 40 nor category selector area 42 move, then it is impossible for such components to teach the claim 1 feature which expressly requires “relative movement as between the segregated display area and the plurality of discrete indicators.”

A second distinction relates to the “automatically causing relative movement” feature recited in claim 1. Since McCalla does not teach the required “relative movement” aspect, it is axiomatic that it cannot teach “automatically causing” such relative movement.

Applicant has demonstrated that McCalla does not teach the identified features recited in claim. Therefore, for the reasons presented above, even if one skilled in the art were to combine the teachings of McCall and Hassell in the manner asserted, claim 1 would be patentable since all of the recited claim elements are not taught or reasonably suggested. Independent claim 15 includes language similar to that of claim 1, and thus, is believed to be patentable for reasons similar to those discussed with regard to claim 1. The rejected dependent claims 2-8, 16-19 are believed to be patentable at least by virtue of their respective dependence on the patentable independent claims 1 and 15.

### **Claim Rejections - 35 U.S.C. §103**

Claims 9-14 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over McCalla in view of Hassell and further in view of Reisman.

Applicant has demonstrated above that McCall and Hassell do not teach or suggest

various features recited in claim 1. Applicant further submits that Reisman does not remedy any of the identified deficiencies of McCalla and Hassell. Accordingly, since independent claim 9 includes language similar to that of claim 1, claim 9 is believed to be patentable for reasons similar to those discussed with regard to claim 1. Moreover, dependent claims 8-14 are also believed to be patentable at least by virtue of their dependence on patentable claim 9.

### **CONCLUSION**

In view of the above, Applicant submits that the currently pending claims are in condition for allowance. Early issuance of a Notice of Allowance is respectfully requested.

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Respectfully submitted,

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